

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 3:21-cr-30046-DWD
)	
NICHOLAS A. BRIDDELL,)	
)	
Defendant.)	

**PRELIMINARY ORDER OF FORFEITURE PURSUANT TO FEDERAL RULE OF
CRIMINAL PROCEDURE 32.2 WITH RESPECT TO A CERTAIN FIREARM
AND/OR AMMUNITION OF NICHOLAS A. BRIDDELL**

In the Indictment filed in the above cause on April 21, 2021, the United States sought the forfeiture of property of Defendant, Nicholas A. Briddell, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c). Defendant pled guilty on September 28, 2022, and upon consideration of that guilty plea, the Court **FINDS forfeitable and ORDERS forfeited:**

One Smith & Wesson Shield, .40 caliber semi-automatic pistol, bearing serial number: JDN6199, and any and all ammunition contained therewith.

The United States shall provide notice of the forfeiture and the right of persons, other than Defendant, who have any claim or legal interest in any of the property, to file a petition with the Court. The notice shall be provided in a manner consistent with Supplemental Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The notice shall state that the petition shall be set for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts

supporting the petitioner's claim and the relief sought.

The United States shall, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as the substitute for the published notice to those persons so notified.

Upon the filing of a petition alleging the third-party interests in the property, the court may amend this Order to resolve the claimed third-party interests.

The United States Marshal or the custodian for the Bureau of Alcohol, Tobacco, Firearms and Explosives shall seize and reduce to their possession, if they have not already done so, the above-described property.

This Order, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, shall become final with respect to Defendant, Nicholas A. Briddell, at the time of Defendant's sentencing, regardless of whether or not the rights of actual or potential third-party petitioners have been determined by that time. This Order shall be made part of the sentence of Defendant, Nicholas A. Briddell, and shall be included in the Judgment imposed against Defendant. Although this Order is a final order with respect to Defendant at the time of sentencing, it may be amended with respect to petitions filed by third parties claiming an interest in the subject-matter forfeited property.

The United States may abandon forfeiture of the property by filing notice of the abandonment with the Court.

SO ORDERED.

Dated: January 13, 2023

s/ David W. Dugan

DAVID W. DUGAN
United States District Judge